

REMARKS

Claims 1-2 are pending in this application. Claims 1-2 have been rejected.

Claims 1 and 2 have been rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 3,639,998 to Mason. There is a simple, yet important and patentable difference that appears to have been overlooked by the Examiner.

In particular, the Examiner states that Mason teaches a lint filter for a clothes dryer, that Mason has a controller (37) in communication with sensors 31a and 32b. The Examiner, however, misinterprets the reference when she states that the sensors are for "detecting a change *in the airflow* between the first and second sensors [emphasis added]". Quite distinct, sensors 31a and 32b are for detecting a difference in pressure.

Mason quite clearly discloses the use of air pressure to meet its goals – and it does so quite consistently:

"The invention provides a simple mechanically actuated indicator for producing a signal in response to changes in a predetermined pressure drop across a particle filter of a fabric dryer." (column 1, lines 31-34)

"When the filter is clean, the pressure at the upstream and downstream sides of the filter will be substantially equal and

the diaphragm assembly 37 will remain in the position shown at FIG 3. As drying operations continue and particles clog the filter 18, the pressure upstream of the filter will become greater than the downstream pressure thereof, due to an increasing pressure drop across the filter and when a predetermined increase in the pressure drop occurs indicating a clogging of the filter" (column 3, lines 52-62)

In contrast, the Applicant measures air flow. The Applicant describes the use of air flow sensors throughout the specification. The Applicant claims air flow sensors in the claims. Ultimately, measuring the air flow is considered by the Applicant to be a more effectively way to determine if the filter is clogged. Pressure differences can be misleading and can even be caused by changes within the environment around the exhaust and atmospheric conditions. This feature, however, is neither described nor suggested by Mason.


This difference might be subtle, but is significant and patentable. Any airplane pilot could expound upon the significant difference in what a pressure gauge and an airspeed gauge informs about. In the present context, it is clear that Mason is attempting to accomplish a similar result – of determining whether the filter is clogged – but is clearly committed to do so using pressure and not air flow. It is fundamental that what we patent is not the goal or result, but the structure, mechanism, and manner of reaching that goal. In the present case, the Applicant

has invented a patentably distinct system for determining the status of the lint filter: by using air flow itself, and not pressure.

Because Mason fails to anticipate, or render obvious the Applicant's use of air flow sensors as recited in claims 1 and 2, the rejection under 35 U.S.C. § 102(b) should be removed. Please enter the allowance of claims 1 and 2.

In view of the above, reconsideration and allowance of the pending claims are respectfully solicited. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,


Richard W. Goldstein
Reg. No. 36,527
Attorney For Applicant(s)
2071 Clove Road
Staten Island, New York 10304
(718) 727-9780